

# **EXHIBIT D**

LAW OFFICES

WILLIAMS & CONNOLLY LLP

725 TWELFTH STREET, N.W.

WASHINGTON, D. C. 20005-5901

(202) 434-5000

FAX (202) 434-5029

KENNETH C. SMURZYNSKI

(202) 434-5903

ksmurzynski@wc.com

EDWARD BENNETT WILLIAMS (1920-1988)

PAUL R. CONNOLLY (1922-1978)

April 14, 2021

Via Email

William J. Natbony  
Cadwalader, Wickersham & Taft LLP  
200 Liberty Street  
New York, NY 10281  
bill.natbony@cwt.com

Re: PROMESA, Title III, Civil Action No. 17-BK-3283, AP No. 20-00005

Dear Mr. Natbony:

In response to Assured Guaranty Corp.'s and Assured Guaranty Municipal Corp.'s ("Assured") subpoena in the above captioned action, we are making a production today on behalf of Greenberg Traurig, LLP ("GT"). It is important to note that these documents were created in the course of GT's representation of the Puerto Rico Highway Transportation Authority ("HTA").

As agreed during our meet and confers on March 22 and April 2, 2021, GT collected segregated files that contained hard copy documents relating to HTA Bonds, Series S (1992), Series T (1992), Series U (1992), and Series V (1992). Consistent with its ethical duties, GT has consulted with HTA in connection with its response to the subpoena. HTA has instructed GT to withhold eleven of the documents found in the collected files on the ground that they are not final documents "governing" the HTA Bonds, *see* Order Regarding Discovery at 11, Case No. 20-00005, ECF No. 129 (D.P.R. Jan. 20, 2021), and thus are beyond the scope of discovery in the above captioned action and/or privileged.<sup>1</sup>

The documents we are producing will be sent in a ZIP file via FTP transfer. The password to the ZIP file is GTkHbYF&825fv&I%r. The documents in this production are stamped GT\_000001-GT\_001784. The documents have been designated as CONFIDENTIAL pursuant to the Stipulation and Amended Protective Order, Dkt. 13461, Case No. 17-BK-3283, attached to the subpoena. We have been informed that the practice of the parties in this action has been to designate all produced documents in this manner. We are of course willing to meet and confer with regard to those designations.

---

<sup>1</sup> Because the documents are beyond the scope of discovery in the above captioned litigation, we have not prepared a privilege log. Should the Court hold, or the parties to the litigation reach agreement, that the documents are subject to discovery, GT will provide a privilege log at that time.

WILLIAMS & CONNOLLY LLP

April 14, 2021  
Page 2

This completes GT's production of documents in response to Assured's subpoena.

Sincerely,

A handwritten signature in dark ink, appearing to read "K. Smurzynski", with a long horizontal flourish extending to the right.

Kenneth C. Smurzynski